

PATENT  
Attorney Docket No.: 24876/1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S):	Richard S. Brauman	Customer No.: 21710
SERIAL NO.:	10/537,680	Confirmation No.: 8529
FILED:	January 10, 2005	Examiner: Not Yet Assigned
FOR:	METHOD AND SYSTEM FOR AQUACULTURE PRODUCTION	

CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR §1.10 in an envelope addressed to: Mail Stop PCT, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:

By: Michelle Aiello  
Michelle A. Aiello

Date: January 8, 2007

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

RESPONSE TO NOTIFICATION OF INSUFFICIENT FEES (DO/EO/US)

Sir:

In response to the Notification of Insufficient Fees, dated December 6, 2006 (copy enclosed), Applicants enclose a copy of the Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Submission under 35 U.S.C. 371 as filed on June 3, 2005 which requested that the examination fee of \$100.00 and any additional fees that may have been required be charged to Deposit Account No. 50-0369. Also enclosed is a copy of the Deposit Account Statement for June, 2005. As you will note, there were four (4) charges that were deducted out of Deposit Account No. 50-0369 for the total amount of \$1225.00. The above errors appear to be due to the USPTO's error, no fees are believed to be due. However, if for any reason a fee paid is inadequate, or credit is owed for any excess fee paid, the Commissioner is hereby authorized and requested to charge or credit Deposit Account No. 50-0369.

Respectfully submitted,

Date: 1-8-2007

01/10/2007 ATRAN1 00000054 500369 10537680  
01 FC:2633 100.00 DA

  
Mark S. Leonardo, Esq. (Reg. No. 41,433)  
Brown Rudnick Berlack Israels LLP  
Customer No. 21710  
One Financial Center  
Boston, MA 02111  
Tel: (617) 856-8145  
Fax: (617) 856-8201

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER 24876/1
INTERNATIONAL APPLICATION NO. PCT/US2005/000713	INTERNATIONAL FILING DATE 10 January 2005 (10.01.2005)	U.S. APPLICATION NO. (If known, see 37 CFR 1.5)
PRIORITY DATE 9 January 2004 (09.01.2004)		
TITLE OF INVENTION <b>METHOD AND SYSTEM FOR AQUACULTURE PRODUCTION</b>		
APPLICANT(S) FOR DO/EO/US <b>BRAUMAN, Richard S.</b>		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> <li><input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371.</li> <li><input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371.</li> <li><input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</li> <li><input checked="" type="checkbox"/> The US has been elected (Article 31).</li> <li><input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c)(2))             <ol style="list-style-type: none"> <li><input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li><input type="checkbox"/> has been communicated by the International Bureau.</li> <li><input checked="" type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li><input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C.             <ol style="list-style-type: none"> <li><input type="checkbox"/> is attached hereto.</li> <li><input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ol> </li> <li><input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))             <ol style="list-style-type: none"> <li><input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li><input type="checkbox"/> have been communicated by the International Bureau.</li> <li><input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li><input type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li><input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li><input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li> <li><input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).</li> </ol>		
Items 11 to 20 below concern document(s) or information		
<ol style="list-style-type: none"> <li><input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li><input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li><input type="checkbox"/> A preliminary amendment.</li> <li><input type="checkbox"/> An application Data Sheet under 37 CFR 1.76.</li> <li><input type="checkbox"/> A substitute specification.</li> <li><input type="checkbox"/> A power of attorney and/or change of address letter.</li> <li><input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.</li> <li><input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</li> <li><input type="checkbox"/> A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).</li> <li><input checked="" type="checkbox"/> Other items or information:  <b>Return Receipt Postcard</b>  <b>Small Entity Assertion</b> </li> </ol>		

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

U.S. APPLICATION NO. ( if known, see 37 CFR	INTERNATIONAL APPLICATION NO.	ATTORNEY'S DOCKET NUMBER																																																																																																																												
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<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 75%;">21. <input checked="" type="checkbox"/> Basic national fee .....</td> <td style="width: 25%; text-align: right;">\$300</td> <td>CALCULATIONS</td> <td>PTO USE ONLY</td> </tr> <tr> <td>22. <input checked="" type="checkbox"/> Examination fee If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4).....</td> <td style="text-align: right;">\$100</td> <td>\$ \$100.00</td> <td></td> </tr> <tr> <td>All other situations.....</td> <td style="text-align: right;">\$200</td> <td></td> <td></td> </tr> <tr> <td>23. <input checked="" type="checkbox"/> Search fee Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority .....</td> <td style="text-align: right;">\$100</td> <td></td> <td></td> </tr> <tr> <td>International Search Report prepared and provided to the Office .....</td> <td style="text-align: right;">\$400</td> <td></td> <td></td> </tr> <tr> <td>All other situations.....</td> <td style="text-align: right;">\$500</td> <td>\$ \$100.00</td> <td></td> </tr> <tr> <td colspan="2"><b>TOTAL OF 21, 22 and 23 =</b></td> <td style="text-align: right;"><b>\$ \$500.00</b></td> <td></td> </tr> <tr> <td colspan="2"><input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.</td> <td></td> <td></td> </tr> <tr> <td>Total Sheets</td> <td>Extra Sheets</td> <td>Number of each additional 50 or fraction thereof (round up to a whole)</td> <td>RATE</td> </tr> <tr> <td>39 - 100 =</td> <td>0 /50 =</td> <td>0</td> <td>x \$250.00 \$ 0.00</td> </tr> <tr> <td colspan="2">Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(h)).</td> <td>\$</td> <td></td> </tr> <tr> <td>CLAIMS</td> <td>NUMBER FILED</td> <td>NUMBER EXTRA</td> <td>RATE</td> </tr> <tr> <td>Total claims</td> <td>39 - 20 =</td> <td>19</td> <td>x \$50.00 \$ 950.00</td> </tr> <tr> <td>Independent claims</td> <td>8 - 3 =</td> <td>5</td> <td>x \$200.00 \$ 1,000.00</td> </tr> <tr> <td colspan="2">Multiple Dependent Claims (if applicable) <input type="checkbox"/></td> <td>+ \$360.00</td> <td>\$ 0.00</td> </tr> <tr> <td colspan="2"><b>TOTAL OF ABOVE CALCULATIONS =</b></td> <td style="text-align: right;"><b>\$ 2,450.00</b></td> <td></td> </tr> <tr> <td colspan="2"><input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.</td> <td>\$ \$1,225.00</td> <td></td> </tr> <tr> <td colspan="2"><b>SUBTOTAL =</b></td> <td style="text-align: right;"><b>\$ 1,225.00</b></td> <td></td> </tr> <tr> <td colspan="2">Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).</td> <td>\$ \$0.00</td> <td></td> </tr> <tr> <td colspan="2"><b>TOTAL NATIONAL FEE =</b></td> <td style="text-align: right;"><b>\$ 1,225.00</b></td> <td></td> </tr> <tr> <td colspan="2">Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per</td> <td>+ \$ 0.00</td> <td></td> </tr> <tr> <td colspan="2"><b>TOTAL FEES ENCLOSED =</b></td> <td style="text-align: right;"><b>\$ 1,225.00</b></td> <td></td> </tr> <tr> <td colspan="2"></td> <td>Amount to be refunded:</td> <td>\$</td> </tr> <tr> <td colspan="2"></td> <td>Amount to be charged:</td> <td>\$</td> </tr> <tr> <td colspan="4"> <p>a. <input type="checkbox"/> A check in the amount of _____ to cover the above fees is enclosed.</p> <p>b. <input checked="" type="checkbox"/> Please charge my Deposit Account <u>50-0369</u> in the amount of <u>\$1,225.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account <u>50-0369</u>. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p> </td> </tr> <tr> <td colspan="4">NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.</td> </tr> <tr> <td colspan="4">SEND ALL CORRESPONDENCE TO:</td> </tr> <tr> <td colspan="4"> <p>David J. Rikkers, Esq.  <b>Brown Rudnick Berlack Israels LLP</b>  One Financial Center, Box IP  Boston, MA 02111  Tel: (617) 856-8382  Fax: (617) 856-8201  E-mail: IP@brownrudnick.com  Customer No.: 21710</p> </td> </tr> <tr> <td colspan="4" style="text-align: right;">   <b>SIGNATURE</b> </td> </tr> <tr> <td colspan="4" style="text-align: right;"> <b>NAME</b> <u>David J. Rikkers</u> </td> </tr> <tr> <td colspan="4" style="text-align: right;"> <b>REGISTRATION NUMBER</b> <u>43,882</u> </td> </tr> </table>			21. <input checked="" type="checkbox"/> Basic national fee .....	\$300	CALCULATIONS	PTO USE ONLY	22. <input checked="" type="checkbox"/> Examination fee If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4).....	\$100	\$ \$100.00		All other situations.....	\$200			23. <input checked="" type="checkbox"/> Search fee Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority .....	\$100			International Search Report prepared and provided to the Office .....	\$400			All other situations.....	\$500	\$ \$100.00		<b>TOTAL OF 21, 22 and 23 =</b>		<b>\$ \$500.00</b>		<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). 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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/537,680	Richard S. BRAUMAN	24876/1
		INTERNATIONAL APPLICATION NO.
		PCT/US05/00713
21710 BROWN, RUDNICK, BERLACK & ISRAELS, LLP. BOX 1P, 18TH FLOOR ONE FINANCIAL CENTER BOSTON, MA 02111	I.A. FILING DATE	PRIORITY DATE
		01/10/2005
		01/09/2004
CONFIRMATION NO. 8529 371 FORMALITIES LETTER		
 *OC000000021481971*		

Date Mailed: 12/06/2006

**Notification of Insufficient Fees (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 06/03/2005
- Copy of the International Search Report filed on 06/03/2005
- Information Disclosure Statements filed on 12/21/2005
- Oath or Declaration filed on 06/03/2005
- U.S. Basic National Fees filed on 06/03/2005
- Priority Documents filed on 06/03/2005

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is **\$100** for a Small Entity:

- The application examination fee has not been paid. Applicant must submit \$100 to complete the examination fee for a small entity in compliance with 37 CFR 1.27. Note a surcharge will be required if submitted later than commencement of the national stage (37 CFR 1.492(h)) and the basic national fee was not paid before July 1, 2005.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

FRANCINE YOUNG

Telephone: (703) 308-9140 EXT 215

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/537,680	PCT/US05/00713	24876/1

FORM PCT/DO/EO/923 (371 Formalities Notice)